

IN THE MATTER OF PETITION	*	
FOR ANNEXATION OF	*	BEFORE THE
APPROXIMATELY 206.358 ACRES,	*	CITY OF ABERDEEN,
MORE OR LESS, OF LAND LOCATED	*	MARYLAND
ON GILBERT ROAD	*	

\* \* \* \* \*

**PETITION FOR ANNEXATION**

Locksley Manor, Inc., Petitioner, pursuant to Section 4-404 of the Local Government Article of the Annotated Code of Maryland and Section 235-15 of the City of Aberdeen (“City”) Development Code (the “City Code”), files this Petition for Annexation (the “Petition”) prepared by Shaffer, McLauchlin & Stover, LLC, and the Petition for Annexation Exhibits prepared by Bay State Land Services, attached hereto as a part hereof and incorporated by reference herein, and state as follows:

1. In accordance with **Section 235-15B.(1)** of the City Code, this Petition and the Supporting Documents include the following:

**(a) Descriptive Data:**

**[1] A legal description of the property with metes and bounds.**

The following tracts or parcels of land are the subject of the Petition:

Parcel A: That property designated on Harford County Tax Map 43 as Parcel 350, being a part of the property described by Deed dated June 17, 1998 from Henry C. Smedley, Virginia Smedley, Samuel C. Smedley and H. Christopher Smedley, unto Locksley Manor, Inc. and recorded among the Land Records of Harford County, Maryland at Liber C.G.H. No. 2749, folio 658; containing 20.00 acres, more or less, as shown on the exhibit plat entitled “Annexation Plan

With Proposed Zoning Gilbert Road – The Wetlands” dated 3/14/20, prepared by Bay State Land Services, attached hereto as Exhibit A.

Parcel B: That property designated on Harford County Tax Map 43 as Parcel 381, being a part of the property described by Deed dated June 17, 1998 from Henry C. Smedley, Virginia Smedley, Samuel C. Smedley and H. Christopher Smedley, unto Locksley Manor, Inc. and recorded among the Land Records of Harford County, Maryland at Liber C.G.H. No. 2749, folio 648; containing 167.766 acres, more or less, as shown on the exhibit plat entitled “Annexation Plan With Proposed Zoning Gilbert Road – The Wetlands” dated 3/14/20, prepared by Bay State Land Services, attached hereto as Exhibit A.

Parcel C: That property designated on Harford County Tax Map 51 as Parcel 166, Lot 12, being all of that property described by Deed dated May 28, 2004 from Frank S. Donahue, Inc. and Christian G. Hayes, unto Locksley Manor, Inc. and recorded among the Land Records of Harford County, Maryland at Liber J.J.R. No. 5414, folio 006; containing 15.898 acres, more or less, as shown on the exhibit plat entitled “Annexation Plan With Proposed Zoning Gilbert Road – The Wetlands” dated 3/14/20, prepared by Bay State Land Services, attached hereto as Exhibit A.

Parcel D: That property designated on Harford County Tax Map 43 as Parcel 392, Lot B, being all of that property described by Deed dated June 17, 1998 from Henry C. Smedley, Virginia Smedley, Samuel C. Smedley and H. Christopher Smedley, unto Locksley Manor, Inc. and recorded among the Land Records of Harford County, Maryland at Liber C.G.H. No. 2749, folio 663; containing 2.694 acres, more or less, as shown on the exhibit plat entitled “Annexation Plan With Proposed Zoning Gilbert Road – The Wetlands” dated 3/14/20, prepared by Bay State Land Services, attached hereto as Exhibit A.

Parcels A, B, C and D are referred to hereafter collectively as the “Subject Property”. The Subject Property contains 206.358 acres, more or less, as described by metes and bounds in written descriptions prepared by Bay State Land Services, attached hereto as Exhibits B-1, B-2, B-3 and B-4, respectively.

**[2] The names and addresses of all members, stockholders, partners, or other individuals having a legal or equitable interest in the entity that owns an interest in the Subject Property.**

The Subject Property is owned by Petitioner Locksley Manor, Inc. The stockholders of Locksley Manor, Inc. are as follows:

<u>Name</u>	<u>Address</u>	<u>% Ownership</u>
Samuel C. Smedley	740 Gilbert Road, Aberdeen, MD 21001	50%
H. Christopher Smedley	514 McCue Road, Avondale, PA 19311	50%

**[3] The names and addresses of all persons residing in the area to be annexed.**

Samuel C. Smedley is the sole individual residing within the area proposed to be annexed, specifically, in the residential structure located on Parcel A. Mr. Smedley’s consent to this Petition is attached hereto. Parcels B, C and D contain no residential structures.

**(b) An Exhibit showing:**

**[1] The legal boundaries of the property, to include complete parcels and all property lines in order to eliminate noncontiguous land that may be annexed in the future.**

See descriptions attached hereto as Exhibits A, B-1, B-2, B-3 and B-4.

**[2] The existing land use conditions surrounding the subject property.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C.

**[3] Existing county zoning and the Petitioner’s proposed City zoning.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C. See also Harford County Zoning Map attached hereto as Exhibit D-1 and Harford County Master Plan map attached hereto as Exhibit D-2.

The Subject Property is currently zoned Agricultural (AG) as defined under the Harford County Zoning Code. Applicant proposes that the Subject Property be split-zoned Integrated Business District (IBD) and Low Intensity Residential District (R-1) upon annexation as shown on the Concept Plan.

**[4] A property tax map.**

See Property Tax Map attached hereto as Exhibit E.

**[5] An aerial photographic map at an appropriate scale.**

See the plan entitled “GIS Plan Gilbert Road – The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit F-1 and Aerial Map for Locksley Manor, attached hereto as Exhibit F-2.

**[6] Topographic map of the Subject Property at an appropriate scale.**

See the plan entitled “GIS Topography Map Gilbert Road – The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit G.

**[7] Existing public facilities and improvements.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C. See also the plan entitled

“Sanitary Alignment Options Plan Gilbert Road – The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit H.

**[8] Existing reserved or public areas.**

There are no existing reserved or public areas within the area to be annexed with Petitioner’s knowledge, information and belief.

**(c) A certification that each owner of real property, both within the area of the proposed annexation and contiguous to the annexation area, has either executed this Petition, or has been sent by certified mail and first-class mail to the address listed in the assessment records, within 10 days prior to the filing of the Petition, a summary in the format provided by the City.**

The owner of the Subject Property has executed this Petition. See certification as to notice to contiguous property owners attached hereto as Exhibit I.

**(d) A Concept Plan:**

**[1] Showing the boundary of the area to be annexed.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C.

**[2] Showing the general location of each proposed land use on the Subject Property and the percentage of the whole for each use. General location of land uses may be shown as irregular graphic shapes depicting the approximate size and relationship to adjacent land uses.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C.

**[3] Providing a table listing densities and land use by type, including the area of each.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C.

**[4] Showing the density of residential development, the maximum and minimum lot sizes, and the anticipated square footage of commercial and industrial buildings.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C.

**[5] Showing existing and proposed arterial and collector streets adjoining (where applicable) and their relationship to the principal land uses on the site, consistent with the adopted Transportation Element in the Comprehensive Plan for the City.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C.

**[6] Showing existing and proposed major utility lines or facilities and their relationship to the principal land uses on the site.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C. See also the plan entitled “Sanitary Alignment Options Plan Gilbert Road – The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit H.

**[7] Showing contour lines at a maximum of five-foot intervals.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C. See also the plan entitled “GIS Plan Gilbert Road – The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit G.

**[8] Showing significant natural or man-made features on the site and contiguous to the Subject Property, as available from current Harford County or other pertinent geographical information system (GIS) databases.**

See the plan entitled “Concept Plan Gilbert Road-The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C. See also the plan entitled “GIS Plan Gilbert Road – The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit G.

**(e) A description of the municipal services that may need to be upgraded, initiated or extended, together with a recommendation regarding the priority for accomplishing the improvements and a recommendation as to possible sources of funding and recoupment for any capital improvements.**

See the plan entitled “Sanitary Alignment Options Plan Gilbert Road – The Wetlands” prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit H. Petitioner proposes to connect to public sewer in one of the alignments as shown on Exhibit H. Petitioner has calculated sufficient capacity for connection to the Eagle’s Rest Pump Station. All capital improvements necessary to serve the Subject Property will be on the site of the Subject Property.

Petitioner proposes to connect to public water as shown on the Concept Plan attached hereto as Exhibit H. All capital improvements necessary to serve the Subject Property will be on the site of the Subject Property.

**(f) Estimation of the potential revenue that will be generated from the development of the area to be annexed and which will be realized by the City.**

Petitioner anticipates that the Subject Property will be improved by a public ice rink, in addition to the existing public golf course and banquet facilities thereon. The portion of the Subject Property known as “Lot 12” may be developed as low density single-family housing. Potential revenue sources include:

- (i) Amusement tax on the ice rink, estimated at \$100,000 per year.

(ii) Water and Sewer connection fees for the existing banquet facilities and Petitioner's intended construction of a public ice rink on the Subject Property.

(iii) Water and Sewer connection fees for low density single-family housing on the portion of the Subject Property known as "Lot 12".

(iv) Annual property tax revenue on the existing banquet facilities, ice rink and single-family homes developed on the portion of the Subject Property known as "Lot 12".

**(g) Description of the social and economic characteristics of the proposed area to be annexed and the surrounding area.**

See the plan entitled "Concept Plan Gilbert Road-The Wetlands" prepared by Bay State Land Services dated February 14, 2020, attached hereto as Exhibit C. The Subject Property is improved by a public golf course, clubhouse and banquet hall. Upon annexation, Petitioner intends to continue to operate the public golf course and to expand the clubhouse and banquet hall. Petitioner further intends to construct a public ice rink in the current location of the driving range serving the public golf course. The portion of the Subject Property known as "Lot 12" may be developed as low-density single-family housing.

The surrounding area is used for residential purposes.

**(h) Identification of the existing environmental characteristics (flood plains, wetland delineations, endangered flora and fauna, etc.) of the proposed area to be annexed and the surrounding area with information related to any environmental impact which annexation and development might have upon these characteristics.**

See the FEMA Flood Plan Map attached hereto as Exhibit J and Soils Map attached hereto as Exhibit K.

**(i) Description of any unique characteristics (i.e. historical, archeological, institutional, etc.) situated in the area to be annexed and surrounding area within a one-mile radius of the area to be annexed, with an analysis of how these characteristics would be impacted by annexation.**



To the best of Petitioners' knowledge, information and belief, there are no unique characteristics situated in the area to be annexed and surrounding area which would be impacted by annexation.

**(j) A detailed statement as to whether the land use and densities permitted under the proposed City zoning classification and the land uses for the annexed area and densities permitted under the current Harford County zoning classification are, or are not, substantially different as that term is defined in Section 4-416 of the Local Government Article of the Annotated Code of Maryland.**

The land use and densities permitted under the City zoning classification of Integrated Business District (IBD) and Low Density Residential (R-1) are substantially different from the land uses and densities for the Subject Property permitted under the current Harford County Zoning classification of Agricultural (AG). Attached hereto as Exhibit L is the City Zoning Map for the relevant area.

2011 Aberdeen Comprehensive Plan – Planning Area 10 Gilbert, Future Land Use Recommendation is planned for low and medium density residential and neighborhood commercial uses. These uses encourage single-family detached and attached residential neighborhoods to be compatible with the Adams Heights community, Locksley Manor community, and the Wetlands Golf Course. Public infrastructure, to include transportation planning and future road improvements, is important for the build out of this planning area. The land use and densities permitted under the proposed City Zoning Classification of Integrated Business District (IBD) and Low Density Residential (R-1) are consistent with the 2011 Aberdeen Comprehensive Plan for Planning Area 10.

2. Petitioner hereby requests that the Subject Property be annexed by the City of Aberdeen, Maryland.

3. The Petitioner hereby reserves the right to revoke its request for annexation upon written notice to the City of Aberdeen, Maryland at any time prior to final adoption and ratification of the Annexation Resolution.

4. Pursuant to **Section 4-404(a)** of the Local Government Article of the Annotated Code of Maryland, subject to **Section 4-413**, this Petition shall be signed by:

(1) at least 25% of the registered voters who are residents in the area to be annexed; and

(2) the owners of at least 25% of the assessed valuation of the real property in the area to be annexed.

There is one (1) resident in the area to be annexed who is a registered voter, Samuel C. Smedley. Mr. Smedley has signed this Petition; thus, one hundred percent (100%) of the residents in the area to be annexed who are registered voters who are residents in the area to be annexed have signed the Petition; and

The property owner signing this Petition, Locksley Manor, Inc., owns more than twenty five percent (25%) of the assessed valuation of the real property located in the area proposed to be annexed.

5. Pursuant to **Section 235-15B(1)** of the City Code, the Petition shall be signed by the Owner of the Property. Owner Locksley Manor, Inc. has signed this Petition.

WHEREFORE, Petitioner requests:

a. That the City of Aberdeen, Maryland verify that the Petition complies with Section 4-404 of the Local Government Article of the Annotated Code of Maryland, as required by Section 4-404(b); and

b. That the City of Aberdeen, Maryland verify that the Petition complies with Section 235-15 of the Aberdeen Development Code; and

c. That upon verification that the requirements of Section 4-404 of the Local Government Article of the Annotated Code of Maryland and Section 235-15 of the Aberdeen Development Code have been met, resolutions proposing the change of boundaries as requested by this Petition and an annexation plan for the Subject Property be introduced as required by Section 4-404(c) of the Local Government Article of the Annotated Code of Maryland; and

d. That the resolutions introduced provide that the Subject Property be split-zoned Integrated Business District (IBD) and Low-Density Residential District (R-1) pursuant to the Development Code of the City of Aberdeen, Maryland; and

e. That the final Annexation Plan Resolution and the final Annexation Resolution contain such other terms and conditions as may be mutually acceptable to Petitioner and the City of Aberdeen, Maryland; and

f. Pursuant to 235-15. B. Procedures – Petition filing contents of the Development Code, this Petition may be executed, scanned and transmitted, via electronic mail, facsimile, or in .pdf, in any number of counterparts, each of which will be deemed an original, and all of which together constitute one and the same instrument.

g. For such other and further action and relief as may be desirable or necessary.

Petitioner hereby signs this Petition to request annexation of the Subject Property and the granting of the relief herein mentioned on the terms and conditions set forth above.

PETITIONER:

Locksley Manor, Inc.

By: \_\_\_\_\_ (Seal)  
Samuel C. Smedley, President

CONSENTED TO:

\_\_\_\_\_ (Seal)  
Samuel C. Smedley

Petitioner hereby signs this Petition to request annexation of the Subject Property and the granting of the relief herein mentioned on the terms and conditions set forth above.

PETITIONER:

Locksley Manor, Inc.

By: Samuel C. Smedley (Seal)  
Samuel C. Smedley, President

CONSENTED TO:

Samuel C. Smedley (Seal)  
Samuel C. Smedley